

## City of Huntington Beach Planning and Building Department

## STAFF REPORT

TO:

Planning Commission

FROM:

Scott Hess, AICP, Director of Planning and Building

BY:

Ricky Ramos, Senior Planner

DATE:

August 12, 2014

**SUBJECT:** 

ZONING MAP AMENDMENT NO. 13-003/LOCAL COASTAL PROGRAM

AMENDMENT NO. 14-001 (SANDOVER)

APPLICANT/ PROPERTY

**OWNER:** 

Ed Mountford, Signal Landmark, 27285 Las Ramblas, Suite 210, Mission Viejo, CA

92691

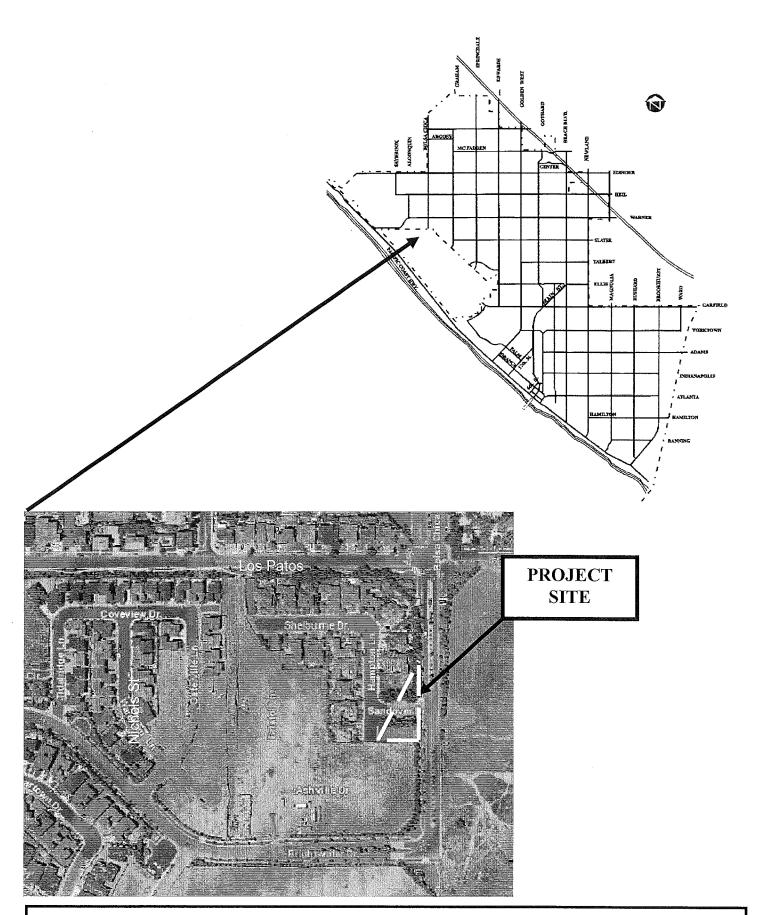
**LOCATION:** 

East side of Hampton Lane in Sandover (south of Los Patos Avenue and west of Bolsa

Chica Street), 92649.

#### STATEMENT OF ISSUE:

- ◆ Zoning Map Amendment No. 13-003 request:
  - Change the zoning designation from RA-CZ (Residential Agriculture Coastal Zone Overlay) to RL-CZ (Residential Low Density – Coastal Zone Overlay) on ±0.29 acre on the east side of Hampton Lane.
- ♦ Local Coastal Program Amendment No. 14-001 request:
  - Amend the City's Local Coastal Program in accordance with Zoning Map Amendment No. 13-003.
- Staff's Recommendation: Approve Zoning Map Amendment No. 13-003 and Local Coastal Program Amendment No. 14-001 based upon the following:
  - The proposed RL-CZ zoning is consistent with the RL-7 General Plan designation for the subject site.
  - It is an extension of the same zoning designation in Sandover.
  - It is compatible with the existing development in Sandover and the surrounding area.



VICINITY MAP
Zoning Map Amendment No. 13-003/Local Coastal Program Amendment No. 14-001

#### **RECOMMENDATION:**

Motion to:

- A. "Approve Zoning Map Amendment No. 13-003 with findings (Attachment No. 1) and forward the draft ordinance to the City Council for adoption."
- B. "Approve Local Coastal Program Amendment No. 14-001 with findings (Attachment No. 1) and forward the draft resolution to the City Council for adoption."

#### **ALTERNATIVE ACTION(S):**

The Planning Commission may take alternative actions such as:

- A. "Deny Zoning Map Amendment No. 13-003 and Local Coastal Program Amendment No. 14-001 with findings for denial."
- B. "Continue Zoning Map Amendment No. 13-003 and Local Coastal Program Amendment No. 14-001 and direct staff accordingly."

#### **PROJECT PROPOSAL:**

Zoning Map Amendment (ZMA) No. 13-003 — represents a request pursuant to Chapter 247 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) to change the zoning designation from RA-CZ (Residential Agriculture — Coastal Zone Overlay) to RL-CZ (Residential Low Density — Coastal Zone Overlay) on +0.29 acre on the east side of Hampton Lane.

<u>Local Coastal Program Amendment (LCPA) No. 14-001</u> – represents a request to amend the City's Local Coastal Program in accordance with Zoning Map Amendment No. 13-003.

The applicant has indicated that the request is necessary (Attachment No. 4) in order to develop the last three single family residences in Sandover.

#### Background:

The existing Sandover development, consisting of 16 two-story single family residences, was approved by the City in 1999. It has an existing General Plan designation of RL-7 and zoning of RL-CZ and RA-CZ. At that time the applicant decided not to change the RA-CZ zoning that exists on a portion of the development. Instead, the area that includes the RA-CZ zoning was used as gated access to the subdivision with the remainder left as undeveloped land that was intended for future residential development. In order to proceed with Tentative Tract Map No. 17662 analyzed in an accompanying staff report and the development of the single family residences, the RA-CZ zoning must be changed to RL-CZ to be consistent with the General Plan land use designation of RL-7.

# <u>ISSUES</u>: Subject Property and Surrounding Land Use, Zoning and General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	RL-7 (Residential Low	RA-CZ (Residential	Vacant, street, and
	Density – Max 7 du/ac)	Agriculture – Coastal	landscaping
		Zone Overlay)	
North and West of	RL-7	RL-CZ (Residential Low	Vacant, Single Family
Subject Property:		Density – Coastal Zone	Residences
		Overlay)	
East of Subject	OS-P (Open Space –	RA-CZ	Vacant
Property:	Park)		
South of Subject	Undesignated	Brightwater Specific Plan	Vacant
Property:		(uncertified)	

#### General Plan Conformance:

The General Plan Land Use Map designation on the subject property is RL-7. The proposed ZMA is consistent with this designation and the goals, objectives, and policies of the City's General Plan as follows:

#### A. Land Use Element

Objective LU 1.1 - Provide for the timing of residential, commercial, and industrial development coincident with the availability of adequate market demand to ensure economic vitality.

Policy LU 7.1.1 - Accommodate existing uses and new development in accordance with the Land Use and Density Schedules (Table LU-2a and 2b).

Objective LU 8.1 - Maintain the pattern of existing land uses while providing opportunities for the evolution, including intensification and re-use, of selected subareas in order to improve their character and identity.

Objective LU 9.1 - Provide for the development of single- and multi-family residential neighborhoods.

Policy LU 9.1.1 - Accommodate the development of single- and multi-family residential units in areas designated by the Land Use Plan Map, as stipulated by the Land Use and Density Schedules (Policy LU 7.1.1).

#### B. Coastal Element

Policy C 1.1.1 - With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate

public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. (I-C 1, I-C 2)

Policy C 1.2.1 - Accommodate existing uses and new development in accordance with the Coastal Element Land Use Plan and the Development and Density Schedule Table C-1. (I-C 1)

Policy C 9.1.1 - Approve and implement development in accordance with the Coastal Element Land Use Plan. (I-C 21)

#### C. Housing Element

Policy 2.1 – Provide site opportunities for development of housing that responds to diverse community needs in terms of housing types, cost and location, emphasizing locations near services and transit that promote walkability.

Policy 3.1 – Encourage the production of housing that meets all economic segments of the community, including lower, moderate, and upper income households, to maintain a balanced community.

The proposed ZMA would extend a zoning designation to the project site that already exists in the area thereby maintaining the existing land use pattern. It would enable the development of new single family residences to complete Sandover. The project site is located contiguous to and compatible with existing developed residential areas.

#### Zoning Compliance:

The current RA-CZ zoning is intended to serve as a transition or holding zone for property with current agricultural activities and as a zone where restricted residential development is permitted. It permits a maximum density of one unit per acre. The  $\pm 0.29$  acre subject property would not meet the minimum lot size of one acre and lot frontage of 150 feet required in RA-CZ for buildable lots. Under the proposed zoning of RL-CZ, the subject area can be incorporated into the undeveloped portion of Sandover that is already zoned RL-CZ for the purposes of creating additional residential lots that are at least 6,000 s.f. and 60 feet in width for development of a single family residence on each lot.

<u>Urban Design Guidelines Conformance</u>: Not applicable.

#### Environmental Status:

The proposed ZMA and the development of the last seven single family residences in Brightwater and Sandover were analyzed in EIR No. 551 approved by the County of Orange for Brightwater.

Coastal Status: The proposed ZMA will require an LCPA approval by the Coastal Commission.

Redevelopment Status: Not applicable.

**Design Review Board:** Not applicable.

**Subdivision Committee:** Not applicable.

#### Other Departments Concerns and Requirements:

The Departments of Public Works, Fire, Community Services and the Building and Safety Division have reviewed the proposed ZMA and LCPA and do not have any comments or concerns.

#### Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on July 31, 2014 and notices were sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Division's Notification Matrix), Coastal Commission staff, applicant, and interested parties. As of August 5, 2014, no communication supporting or opposing the request has been received.

#### **Application Processing Dates:**

<u>DATE OF COMPLETE APPLICATION:</u> <u>MANDATORY PROCESSING DATE(S):</u>

July 18, 2014 Not applicable.

#### **ANALYSIS**:

The following is an analysis of the ZMA/LCPA and the compatibility of the proposed designation with the surrounding area.

#### Land Use Compatibility

The subject site has a current designation of RL-7 in the General Plan Land Use Element and the City's Local Coastal Program Land Use Plan (Coastal Element), which typically permits single family residences at a maximum density of seven units per net acre. The current RA-CZ zoning is intended to serve as a transition or holding zone for property with current agricultural activities and as a zone where restricted residential development is permitted. It permits a maximum density of one unit per acre which is notably less than what the General Plan calls for. In contrast, the proposed RL-CZ zoning permits residential use at a density consistent with the RL-7 General Plan designation. It would permit one single family dwelling on each lot which must be at least 6,000 s.f. and 60 feet in width consistent with the surrounding development. It is an extension of the same designation found in the rest of Sandover and is compatible with the surrounding area.

#### **SUMMARY:**

- Staff's Recommendation: Approve Zoning Map Amendment No. 13-003 and Local Coastal Program Amendment No. 14-001 based upon the following:
  - The proposed RL-CZ zoning is consistent with the RL-7 General Plan designation for the subject site.
  - It is an extension of the same zoning designation in Sandover.
  - It is compatible with the existing development in Sandover and the surrounding area.

#### **ATTACHMENTS**:

- 1. Suggested Findings of Approval of ZMA No. 13-003 and LCPA No. 14-001
- 2. Draft Ordinance Approving ZMA No. 13-003
- 3. Draft City Council Resolution Approving LCPA No. 14-001
- 4. Project Narrative dated June 19, 2014
- 5. Existing and Proposed Zoning Map

SH:MBB:RR:kdc

#### ATTACHMENT NO. 1

#### SUGGESTED FINDINGS OF APPROVAL

#### ZONING MAP AMENDMENT NO. 13-003/ LOCAL COASTAL PROGRAM AMENDMENT NO. 14-001

#### SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project was analyzed in EIR No. 551 approved by the County of Orange for Brightwater.

#### SUGGESTED FINDINGS FOR APPROVAL - ZONING MAP AMENDMENT NO. 13-003:

1. Zoning Map Amendment No. 13-003 to change the zoning designation from RA-CZ (Residential Agriculture – Coastal Zone Overlay) to RL-CZ (Residential Low Density – Coastal Zone Overlay) on ±0.29 acre on the east side of Hampton Lane in Sandover is consistent with the General Plan land use designation of RL-7 and the following goals, objectives, and policies:

#### A. Land Use Element

Objective LU 1.1 - Provide for the timing of residential, commercial, and industrial development coincident with the availability of adequate market demand to ensure economic vitality.

Policy LU 7.1.1 - Accommodate existing uses and new development in accordance with the Land Use and Density Schedules (Table LU-2a and 2b).

Objective LU 8.1 - Maintain the pattern of existing land uses while providing opportunities for the evolution, including intensification and re-use, of selected subareas in order to improve their character and identity.

Objective LU 9.1 - Provide for the development of single- and multi-family residential neighborhoods.

Policy LU 9.1.1 - Accommodate the development of single- and multi-family residential units in areas designated by the Land Use Plan Map, as stipulated by the Land Use and Density Schedules (Policy LU 7.1.1).

#### B. Coastal Element

Policy C 1.1.1 - With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. (I-C 1, I-C 2)

Policy C 1.2.1 - Accommodate existing uses and new development in accordance with the Coastal Element Land Use Plan and the Development and Density Schedule Table C-1. (I-C 1)

Policy C 9.1.1 - Approve and implement development in accordance with the Coastal Element Land Use Plan. (I-C 21)

#### C. Housing Element

Policy 2.1 – Provide site opportunities for development of housing that responds to diverse community needs in terms of housing types, cost and location, emphasizing locations near services and transit that promote walkability.

Policy 3.1 – Encourage the production of housing that meets all economic segments of the community, including lower, moderate, and upper income households, to maintain a balanced community.

The proposed ZMA would extend a zoning designation to the project site that already exists in the area thereby maintaining the existing land use pattern. It would enable the development of new single family residences to complete Sandover. The project site is located contiguous to and compatible with existing developed residential areas.

- 2. Zoning Map Amendment No. 13-003 would only establish a zoning designation on the subject property rather than change a general land use provision and would not affect the uses authorized in and the standards prescribed for the proposed zoning district.
- 3. A community need is demonstrated for the change proposed. The proposed RL-CZ zoning is consistent with the General Plan designation of RL-7 and an extension of the same zoning found in Sandover which includes the project site. It would enable the development of additional single family residences to add to the housing stock.
- 4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice. The proposed RL-CZ zoning is an extension of the same zoning found in Sandover which includes the project site. It will be compatible with the residential character of the area.

## <u>SUGGESTED FINDINGS FOR APPROVAL – LOCAL COASTAL PROGRAM AMENDMENT</u> NO. 14-001:

- 1. Local Coastal Program Amendment No. 14-001 to the Huntington Beach Local Coastal Program in accordance with Zoning Map Amendment No. 13-003 is consistent with the General Plan land use designation of RL-7 on the subject site.
- 2. The proposed change to the Local Coastal Program is in accordance with the policies, standards and provisions of the California Coastal Act that encourage accommodating new development in accordance with the Coastal Element Land Use Plan and located within existing developed areas.

3.	The request conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act because the request is only a zoning map amendment which will not impact public access and public recreational opportunities as none exist on the subject site.		

ORDINANCE NO.	
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AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING THE HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE BY CHANGING THE ZONING DESIGNATION FROM RA-CZ (RESIDENTIAL AGRICULTURE- COASTAL ZONE OVERLAY) TO RL-CZ (RESIDENTIAL LOW DENSITY- COASTAL ZONE OVERLAY) ON ±0.29 ACRE OF REAL PROPERTY LOCATED IN THE SANDOVER DEVELOPMENT ON THE SOUTHWEST CORNER OF LOS PATOS AVENUE AND BOLSA CHICA STREET (ZONING MAP AMENDMENT NO. 13-003)

WHEREAS, pursuant to the State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate public hearings relative to Zoning Map Amendment No. 13-003, wherein both bodies have carefully considered all information presented at said hearings, and after due consideration of the findings and recommendations of the Planning Commission and all evidence presented to said City Council, the City Council finds that such zone change is proper, and consistent with the General Plan.

NOW, THEREFORE, the City Council of the City of Huntington Beach does ordain as follows:

SECTION 1. That the real property located in the Sandover development on the southwest corner of Los Patos Avenue and Bolsa Chica Street and more particularly described in the legal description and sketch collectively attached hereto as Exhibit A and incorporated by this reference as though fully set forth herein is hereby changed from RA-CZ (Residential Agriculture- Coastal Zone Overlay) to RL-CZ (Residential Low Density- Coastal Zone Overlay) on ±0.29 acre.

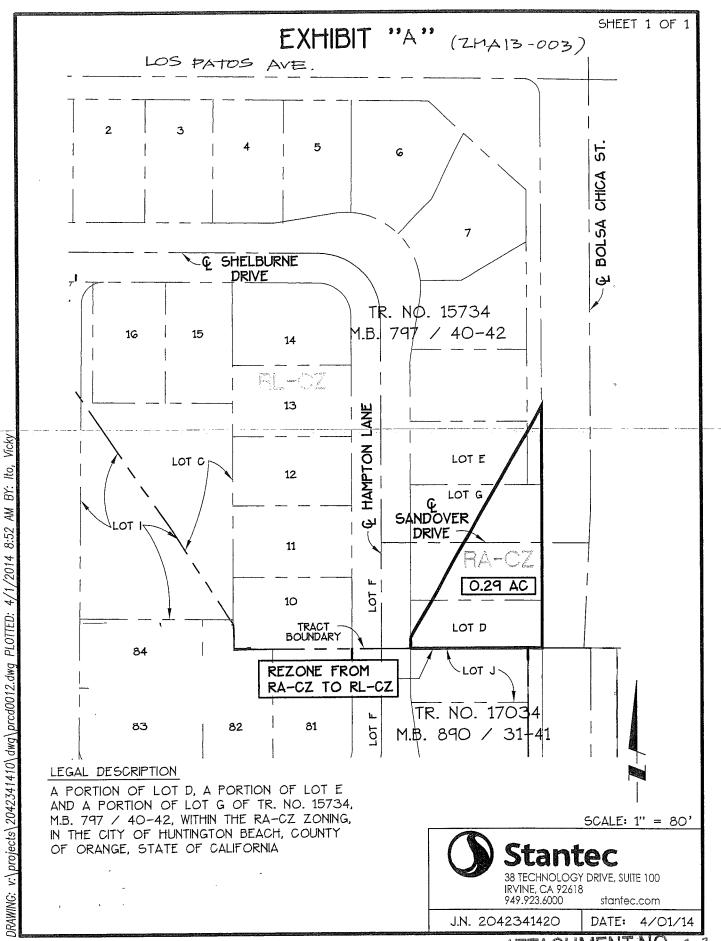
SECTION 2. That the Director of Planning and Building is hereby directed to amend Sectional District Map 34 of the Huntington Beach Zoning and Subdivision Ordinance to reflect the changes contained in this ordinance. The Director of Planning and Building is further directed to file the amended map. A copy of such map, as amended, shall be available for inspection in the Office of the City Clerk.

SECTION 3. This ordinance shall take effect immediately upon certification by the California Coastal Commission but not less than thirty days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the day of 2014.

	Mayor
ATTEST:	APPROVED AS TO FORM:
City Clerk	Gity Attorney 6/27/2019
REVIEWED AND APPROVED:	INITIATED AND APPROVED:
City Manager	Director of Planning and Building
City Manager	Director of Planning and Building

Attachment: Exhibit A- Legal Description and Sketch



ATTACHMENT NO. 2.3

RESOLUTION	NO.		

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON BEACH, ADOPTING LOCAL COASTAL PROGRAM AMENDMENT NO. 14-001 AND REQUESTING ITS CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION

WHEREAS, after notice duly given pursuant to *Government Code* Section 65090 and *Public Resources Code* Sections 30503 and 30510, the Planning Commission of the City of Huntington Beach held a public hearing to consider the adoption of Zoning Map Amendment No. 13-003 included in Huntington Beach Local Coastal Program Amendment No. 14-001, and such amendment was recommended to the City Council for adoption; and

The City Council, after giving notice as prescribed by law, held at least one public meeting on Zoning Map Amendment No. 13-003 included in the proposed Huntington Beach Local Coastal Program Amendment No. 14-001, and the City Council finds that the proposed amendment is consistent with the Huntington Beach General Plan, the Certified Huntington Beach Coastal Land Use Plan and Chapter 6 of the California Coastal Act.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

SECTION 1. That Huntington Beach Local Coastal Program Amendment No. 14-001 is hereby approved, consisting of Ordinance No. \_\_ pertaining to Zoning Map Amendment No. 13-003. A copy of the aforesaid ordinance is attached hereto as Exhibit A, and incorporated by this reference as though fully set forth herein.

SECTION 2. That the California Coastal Commission is hereby requested to consider, approve and certify Huntington Beach Local Coastal Program Amendment No. 14-001.

SECTION 3. That pursuant to Section 13551(b) of the Coastal Commission Regulations, Huntington Beach Local Coastal Program Amendment No. 14-001 will take effect automatically upon Coastal Commission approval, as provided in *Public Resources Code* Sections 30512, 30513, and 30519.

PASSED AND ADOPTED by the City C	ouncil of the City of Huntington Beach at a
regular meeting held on	
	Mayor
	APPROVED AS TO FORM:
	APPROVED AS TO FORM:  City Attorney  Property of the second control of the second contro
REVIEWED AND APPROVED:	INITIATED AND APPROVED:
City Manager	Director of Planning and Building
FXHIRIT A: Ordinance No	

JUN 192014

Dept. of Planning

#### PROJECT DESCRIPTION - BRIGHTWATER/SANDOVER TENTATIVE TRACT MAP 17662 & Building

Signal Landmark (owner) is requesting approval of a Tentative Tract Map (TTM) to create four residential lots in the last phase of the Brightwater community and to complete the last three residential lots within the Sandover neighborhood. Although all seven lots are included on the same TTM, the four Brightwater lots require different land use entitlements than the three Sandover lots. For this reason, the four Brightwater lots and three Sandover lots will be discussed separately below.

#### **BRIGHTWATER RESIDENTIAL LOTS**

The four residential lots are located in the northeast corner of Brightwater project area adjacent to the existing Sandover neighborhood. Tentative Tract Map 17662 proposes to combine two letter lots of Brightwater Tract No. 17034 (lots H and I) with a lettered lot (C) of Sandover Tract 15734 totaling 0.97 acres and re-subdivide them into four single family residential lots with the minimum lot size exceeding 6,000 square feet.

The Brightwater Specific Plan, adopted by the City of Huntington Beach in 2007, anticipated the re-subdivision of these remnant parcels from Brightwater and Sandover into residential lots and pre-zoned the property as residential as part of the specific plan approval.

Immediately adjacent to the west of TTM 17662 is the Capri neighborhood in Brightwater, to the northeast is the Sandover neighborhood and to the south is the yet to be constructed Azurene neighborhood at Brightwater. The four residential lots will be part of the last phase Azurene neighborhood. The Azurene neighborhood is comprised of homes ranging in size from approximately 3,750 to 4,400 square feet.

All four residential lots will take access from Bristol Lane. Bristol Lane will terminate just south of Shelburne Drive and an emergency access gate will be installed at the end of the street to allow emergency vehicles to access both the Brightwater and Sandover neighborhoods. The four lots range in size from 6,824 SF to 9,002 SF. The homes are two story and range in size from 4,100 SF to 4,400 SF.

The four lots lie within the Coastal Zone and are not currently included in the city's general plan. Therefore, a General Plan Amendment will be required to RL-7-sp. Once the city approves the GPA and TTM, Signal will apply to the Coastal Commission for a Coastal Development Permit to construct the project.

Signal will pay in lieu fees to satisfy the city's affordable housing requirement for the Brightwater lots.

#### SANDOVER RESIDENTIAL LOTS

Signal Landmark (owner) is proposing to complete the buildout of the Sandover neighborhood at the southwest corner of Bolsa Chica Street and Los Patos Avenue. TTM 17662 subdivides four existing lettered lots of Tract 15734 (Lots B, D, E, & G) and portions of five lettered lots (B, F,H,J K) of Tract 17034 into a three single family detached residential lots and six lettered lots.

The TTM will trigger some minor modifications to the city's general plan and zoning map. Because the TTM includes small segments of land on the northwestern and southeastern ends that were in the unincorporated area prior to a recent annexation, they do not currently have a land use designation in the city's General Plan. Therefore, a General Plan Amendment will be necessary to establish the residential land use (RL-7). Also, the southeastern corner of the Sandover neighborhood is zoned Residential Agriculture (RA). Thus, a zone change will be necessary to convert the area zoned RA to RL - CZ. Lastly, RL-CZ zoning is proposed for a 175 square foot lettered lot (K) from Tract 17034 that was previously in the unincorporated area and therefore lacks city zoning

With respect to surrounding land uses, on the north side of Los Patos Avenue is single family detached homes, on the east side of Bolsa Chica Street is an undeveloped five acre parcel and directly south and west is the future Azurene neighborhood of the Brightwater Community.

The existing gated entry to the Sandover neighborhood on Sandover Drive will remain in its current configuration and is designated as Lot A on the TTM. Lot 1, a 6,169 SF residential lot, fronts onto Hampton Lane on the north side of the Sandover Drive and contains a five foot easement paralleling the southern lot line for landscape maintenance of the entry. Lot 2 is a 6,110 SF residential lot located on the southeast corner of Hampton Lane and Sandover Drive. Lot 3 is a 7,084 SF residential lot located at the end of Shelburne Drive on the east side of an existing emergency vehicle access drive. A retaining wall will be constructed along the northern and eastern property lines of Lot 3. Pursuant to the City's Zoning Code, a Conditional Use Permit will be required to construct the retaining wall.

As part of the construction of the three residential lots both Hampton Lane and Shelburne Drive will be lengthened to provide access to Lots 2 and 3. Hampton Lane will be extended approximately 10 feet to the south and Shelburne approximately 40 feet to the west. No street connection to the Brightwater community is proposed.

A two storey approximately 3,400 SF home will be built on Lot 1 and an approximately 4,300 SF home will be built on lots 2 and 3. The architecture and exterior building materials have been designed to match the existing Sandover homes.

The portion of the TTM covering the Sandover neighborhood is located within the Coastal Zone and will require a Local Coastal Program Amendment in addition to a zone change. Signal will apply to the Coastal Commission for a Coastal Development Permit to construct the project.

